

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

ROBERT HEFFERNAN,
ADC #76641

Petitioner,

v.

WENDY KELLEY, Director,
Arkansas Department of Correction,

Respondent.

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No. 5:18CV00057-SWW

ORDER

The Court has reviewed the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge Joe J. Volpe and Plaintiff's Objections. After carefully considering the objections and making a *de novo* review of the record, the Court concludes that the Proposed Findings and Recommended Disposition should be, and hereby are, approved and adopted in their entirety as this Court's findings in all respects.

IT IS, THEREFORE, ORDERED that:

1. Mr. Heffernan's § 2254 Petition (Doc. No. 1) is DISMISSED without prejudice and the requested relief is DENIED.
2. No certificate of appealability shall issue.

IT IS SO ORDERED this 1st day of May, 2018.

/s/Susan Webber Wright
UNITED STATES DISTRICT JUDGE